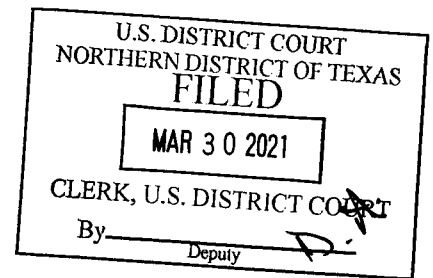


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



JUSTIN CURTIS FAIRCHILD,
Institutional ID No. 5018947,

Plaintiff,

v.

FRANKLIN MCDONOUGH, *et al.*,

Defendants.

§
§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 2:20-CV-173-Z-BQ

ORDER

On July 9, 2020, *pro se* Plaintiff filed a Complaint (ECF No. 3) in this Court, proceeding *in forma pauperis*. On March 8, 2021, the United States Magistrate Judge entered findings and conclusions on Plaintiff's operative Amended Complaint (ECF Nos. 6, 19). The Magistrate Judge RECOMMENDS that the Court dismiss with prejudice: (1) Fairchild's claims against DA McDonough, the unnamed state judge, the Gray County Sheriff's Department, the Pampa PD, and Attorney Mulanax; (2) any claim for release from prison or dismissal of Fairchild's state criminal conviction; and (3) Fairchild's remaining claims against Defendants Damron and Armentrout until the conditions of *Heck* are met. Plaintiff did not timely file objections.

After making an independent review of the pleadings, files, and records in this case, and the findings, conclusions, and recommendation of the Magistrate Judge, the Court concludes that the findings and conclusions are correct. It is therefore **ORDERED** that the findings, conclusions, and recommendation of the Magistrate Judge (ECF No. 19) are **ADOPTED**, and Plaintiff's Amended Complaint (ECF No. 6) is **DISMISSED WITH PREJUDICE** as outlined above.

SO ORDERED.

Dated: March 30, 2021



MATTHEW J. KACSMARYK
UNITED STATES DISTRICT JUDGE